UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

34431	7590	04/30/2009

HANLEY, FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO, IL 60606

EXAMINER
RANGREJ, SHEETAL

ART UNIT	PAPER NUMBER
3686	

DATE MAILED: 04/30/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,652	12/12/2001	John J. Janas III	CLCOCO P01AUS	9321

TITLE OF INVENTION: MEDICAL SUPPORT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	07/30/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

| 34431 | 7590 | 04/30/2009 |

HANLEY, FLIGHT & ZIMMERMAN, LLC
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SUITE 2100
CHICAGO, IL 60606

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,652	12/12/2001	John J. Janas III	CLCOCO P01AUS	9321

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nonprovisional	YES	$755	$300	$0	$1055	07/30/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
RANGREJ, SHEETAL	3686	705-002000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:

❑ Issue Fee
❑ Publication Fee (No small entity discount permitted)
❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**

❑ A check is enclosed.
❑ Payment by credit card. Form PTO-2038 is attached.
❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,652	12/12/2001	John J. Janas III	CLCOCO P01AUS	9321

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EXAMINER
RANGREJ, SHEETAL

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DATE MAILED: 04/30/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 807 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 807 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	10/017,652	JANAS ET AL.
	Examiner	Art Unit	
	SHEETAL R. RANGREJ	3686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *03/17/2009*.

2. ☒ The allowed claim(s) is/are *1-9,11-19,21 and 22*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

         International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

     Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
   Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
   Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

Examiner's Amendment

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

The application has been amended as follows:

In the Claims

2.   **Claim 1**: a medical support system including a memory for storing at least one medical

support process relating to diagnosis and treatment of a medical condition, a processor

responsive to the medical support process and to user inputs for performing the medical support

process, an input device for user inputs relating to the medical support process and an output

device for displaying the results of the medical support process to a user, comprising:

-at least one medical record relating to a patient;

-at least one medical support database including medical guidelines for the diagnosis and

treatment of the medical condition;

-a bi-directional dialect translator for receiving and translating between preferred dialect medical

terms entered by an individual user and corresponding equivalent but different standard medical

terms employed in the support operations, conversely bi-directionally translating the standard

medical terms employed by the support operations into the preferred dialect medical terms

originally entered and used by the individual user for display to the user; and

-a medical support process including at least one process phase each process phase including one or more process operations;

-each of the process operations of a process phase including:

  -at least one process form providing an interface between a user and the process operations of the process phase, each process form including fields for passing user inputs to the process operations and for displaying the results of the process operations to the user; and

  -at least one support process responsive to user inputs, the medical record and the guidelines for performing the process operations, wherein:

  -the support processes execute an interactive dialogue between the medical support process and the user to provide guidance to the user in performing the medical support process according to the guidelines and dependent upon the user inputs and the medical record,

  -wherein the guidance provided to the user is capable of being overridden by the user and wherein the overridden guidelines are dynamically updated with a patient based guideline for the individual patient based on user input and the medical record for the individual patient.

3.   **Claim 11**: a medical support system including an input device for user inputs relating to a medical process and an output device for displaying the results of the medical process to a user, a memory for storing at medical process and medical data, and a processor operating under control

of the medical process and the user inputs, a method for providing support for a medical

practitioner performing medical process relating to diagnosis and treatment of a medical

condition, comprising the steps of:

-storing at least one medical record relating to a patient;

-storing at least one medical support database including medical guidelines for the diagnosis and

treatment of the medical condition;

- translating bi-directionally between preferred dialect medical terms used and entered by a user

and corresponding equivalent but different standard medical terms employed in the support

operations and, conversely translating bi-directionally the standard medical terms employed by

the support operations into the preferred dialect medical terms originally entered and used by the

individual user for display to the user; and

-performing a medical support process including at least one process phase each process phase;

each process including one or more process operations;

-each of the process operations of a process phase including:

>-providing at least one process form providing an interface between a user and the
>
>process operations of the process phase, each process form including fields for passing
>
>user inputs to the process operations and for displaying the results of the process
>
>operations to the user; and
>
>-providing at least one support process responsive to user inputs, the medical record and
>
>the guidelines for performing the process operations, wherein:

-the support processes execute an interactive dialogue between the medical support

process and the user to provide guidance to the user in performing the medical support

process according to the guidelines and dependent upon the user inputs and the medical

record,

-wherein the guidance provided to the user is capable of being overridden by the user and

wherein the overridden guidelines are dynamically updated with a patient based guideline

for the individual patient based on user input and the medical record for the individual

patient.

Reasons for Allowance

1.   The following is an examiner's statement for reasons for allowance:

Regarding Claim 1

2.   The prior art of record neither anticipates nor fairly and reasonably teaches a medical

support system including a memory for storing at least one medical support process relating to

diagnosis and treatment of a medical condition, a processor responsive to the medical support

process and to user inputs for performing the medical support process, an input device for user

inputs relating to the medical support process and an output device for displaying the results of

the medical support process to a user, comprising:

-at least one medical record relating to a patient;

-at least one medical support database including medical guidelines for the diagnosis and

treatment of the medical condition;

-a bi-directional dialect translator for <u>receiving and</u> translating between <u>preferred dialect</u> medical

terms entered by an individual user and corresponding equivalent but different <u>standard</u> medical

terms employed in the support operations<u>, conversely</u> bi-directionally translating the <u>standard</u>

medical terms employed by the support operations into the <u>preferred dialect</u> medical terms

<u>originally entered</u> and used by the individual user <u>for display to the user</u>; and

-a medical support process including at least one process phase each process phase including one

or more process operations;

-each of the process operations of a process phase including<u>:</u>

    -at least one process form providing an interface between a user and the process

    operations of the process phase, each process form including fields for passing user

    inputs to the process operations and for displaying the results of the process operations to

    the user; and

    -at least one support process responsive to user inputs, the medical record and the

    guidelines for performing the process operations, wherein<u>:</u>

        -the support processes execute an interactive dialogue between the medical

    support process and the user to provide guidance to the user in performing the medical

    support process according to the guidelines and dependent upon the user inputs and the

    medical record,

    -wherein the guidance provided to the user is capable of being overridden by the user and

    wherein the overridden guidelines are dynamically updated with a patient based guideline

for the individual patient based on user input <u>and the medical record</u> for the individual

patient.

<u>Regarding Claim 11</u>

3.   The prior art of record neither anticipates nor fairly and reasonably teaches a medical

support system including an input device for user inputs relating to a medical process and an

output device for displaying the results of the medical process to a user, a memory for storing at

medical process and medical data, and a processor operating under control of the medical

process and the user inputs, a method for providing support for a medical practitioner performing

medical process relating to diagnosis and treatment of a medical condition, comprising the steps

of:

-storing at least one medical record relating to a patient;

-storing at least one medical support database including medical guidelines for the diagnosis and

treatment of the medical condition;

- translating bi-directionally between <u>preferred dialect</u> medical terms <u>used and</u> entered by a user

and corresponding equivalent but different <u>standard</u> medical terms employed in the support

operations and<u>,</u> <u>conversely</u> translating bi-directionally the <u>standard</u> medical terms employed by

the support operations into the <u>preferred dialect</u> medical terms <u>originally entered</u> and used by the

individual user for display to the user; and

-performing a medical support process including at least one process phase each process phase;

each process including one or more process operations;

-each of the process operations of a process phase including<u>:</u>

-providing at least one process form providing an interface between a user and the

process operations of the process phase, each process form including fields for passing

user inputs to the process operations and for displaying the results of the process

operations to the user; and

-providing at least one support process responsive to user inputs, the medical record and

the guidelines for performing the process operations, wherein:

-the support processes execute an interactive dialogue between the medical

support process and the user to provide guidance to the user in performing the medical

support process according to the guidelines and dependent upon the user inputs and the

medical record,

-wherein the guidance provided to the user is capable of being overridden by the user and

wherein the overridden guidelines are dynamically updated with a patient based guideline

for the individual patient based on user input and the medical record for the individual

patient.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

4.   The most remarkable prior art of record is as follows:

-Joao (U.S. Patent No. 6,283,761);

-Campbell et al. (U.S. Patent No. 6,047,259); and

-Ryan (U.S. Patent No. 5,809,476).

5.   Joao, Campbell, and Ryan do not teach:

a.   a bi-directional dialect translator for <u>receiving and</u> translating between <u>preferred</u>

<u>dialect</u> medical terms entered by an individual user and corresponding equivalent but

different <u>standard</u> medical terms employed in the support operations<u>, conversely</u> bi-

directionally translating the <u>standard</u> medical terms employed by the support operations

into the <u>preferred dialect</u> medical terms <u>originally entered</u> and used by the individual user

<u>for display to the user</u>;

b.   each of the process operations of a process phase including<u>:</u>

-at least one process form providing an interface between a user and the process

operations of the process phase, each process form including fields for passing

user inputs to the process operations and for displaying the results of the process

operations to the user; and

-at least one support process responsive to user inputs, the medical record and the

guidelines for performing the process operations, wherein<u>:</u>

-the support processes execute an interactive dialogue between the medical

support process and the user to provide guidance to the user in performing the

medical support process according to the guidelines and dependent upon the user

inputs and the medical record,

-wherein the guidance provided to the user is capable of being overridden by the

user and wherein the overridden guidelines are dynamically updated with a

patient based guideline for the individual patient based on user input <u>and the</u>

<u>medical record</u> for the individual patient.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHEETAL R. RANGREJ whose telephone number is (571) 270-

1368. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/S. R. R./
Examiner, Art Unit 3686
April 25, 2009

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686